



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

5720
ARSF-F
October 15, 2012

MR JASON SMATHERS
MUCKROCK NEWS
DEPT MR 1623
PO BOX 55819
BOSTON MA 02205-5819

Dear Mr. Smathers:

SUBJECT: FILE USMC-HQ-2012F080701

This refers to your Freedom of Information Act (FOIA) request of July 31, 2012, by which you seek to obtain records concerning a "briefing on Foreign Perceptions of U.S. Amphibious Capabilities provided by MCIA China/Iran Analyst to Brigadier General O'Donohue on February 16, 2011." This Headquarters received your request on August 1, 2012.

In an effort to assist you, we initiated a search of the files maintained by this Headquarters, specifically, the Marine Corps Intelligence Agency (MCIA). As a result, MCIA personnel revealed that all records in this regard are currently and properly classified materials. Because the FOIA precludes the disclosure of this type of information [5 U.S.C. § 552(b)(1) as amended] we are unable to release any documents as responsive to your request at this time.

Thank you for your patience throughout this process as the Headquarters Marine Corps FOIA office has been working through a back-log of 300+ cases due to being reduced to less than 50 percent staffing. As a result of the ending of the Federal Government hiring freeze, staffing is back to 100 percent and the back-log is back to manageable levels and such case congestion will not be a problem for future requests.

In view of the above, you may consider this an adverse determination that may be appealed in writing to the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal, if any, must be postmarked within 60 calendar days from the date of this letter to be considered. Additionally, your appeal correspondence should contain a copy of your initial FOIA request, a copy of this response, and include a statement indicating why you believe your appeal should be granted. I recommend that your letter and the envelope both bear the notation "Freedom of Information Act Appeal."

You have been categorized as a "News/Media Requester" for the purpose of assessing FOIA processing fees. As such, you are entitled to two hours of search and 100 pages of duplication free of charge but are responsible for the payment of any search

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and/or duplication fees exceeding your free entitlement. In this instance, since search fees do not exceed your free entitlement, there is no fee charge for processing your request.

Questions concerning this action should be directed to the undersigned at (571) 256-8634, via email to smb.hqmc.foia@usmc.mil or fax at (703) 614-6287. Please reference the file number in the subject line above.

Sincerely,

A handwritten signature in black ink, appearing to read "DAVID E. VOGT, III", with a stylized flourish at the end.

DAVID E. VOGT, III
FOIA Team Lead (ARSF)
Security Programs & Info Mgmt Branch
Administration & Resource Mgmt Division